

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	
)	
Revision of the Commission's Rules)	CC Docket 94-102
To Ensure Compatibility with)	
Enhanced 911 Emergency)	
Calling Systems)	

**REPLY COMMENTS OF VOICESTREAM WIRELESS CORPORATION
CONCERNING THE
D&E OMNIPOINT WIRELESS JOINT VENTURE, L.P.
REQUEST FOR WAIVER OF THE E911 PHASE II
LOCATION TECHNOLOGY IMPLEMENTATION RULES**

VoiceStream Wireless Corporation hereby submits this reply to the Wireless Telecommunications Bureau's ("Bureau") July 13, 2001 Public Notice seeking comments on the request of D&E/Omnipoint Wireless Joint Venture, L.P. d/b/a PCS One ("PCS One") for waiver of the E911 Phase II rules.

PCS One is a Personal Communications Services ("PCS") provider which is fifty percent owned by VoiceStream and fifty percent owned by D&E Communications. PCS One seeks a waiver to allow it to deploy Enhanced Observed Time Difference of Arrival ("E-OTD") technology, a hybrid network and handset-based solution, for its GSM network. The PCS One request mirrors the waiver request of VoiceStream.

As the Bureau is aware, last year VoiceStream was granted a waiver of certain aspects of the Commission's E911 Phase II rules in order to pursue E-OTD technology. Most significantly, VoiceStream was granted additional time to improve the accuracy of E-OTD technology from 100 meters to 50 meters. VoiceStream fully supports PCS One's position that "there is no other readily

available E-911 solution for GSM technology” besides E-OTD, at this time.¹ Further, all parties submitting comments on the PCS One waiver request support its request.²

VoiceStream remains confident that the location accuracy of E-OTD will continue to improve over time and ultimately meet or exceed the 50 meter accuracy standard. Just last month, VoiceStream reported to the Commission that its E-OTD technology trials being conducted in Houston, Texas were consistently yielding accuracy results of approximately 70 meters for 67 percent of calls.³ Such evidence of E-OTD’s potential, along with the other public interest benefits of E-OTD, formed the basis of the Commission’s grant of the VoiceStream waiver request last year.⁴ Far from casting doubt on that decision, the data submitted to the FCC on E-OTD’s performance since the VoiceStream waiver grant serve in fact to buttress the Commission’s decision.

VoiceStream agrees with the Cellular Telecommunications and Internet Association’s observation that “every wireless carrier will face unique circumstances as it transitions from Phase I to Phase II and no single Phase II solution will work in each of these situations.”⁵ PCS One’s situation presents just such a unique set of circumstances. PCS One explains in its waiver request that its network is fifty percent owned by VoiceStream and its network is technically integrated with

¹ D&E/Omnipoint Wireless Joint Venture, L.P. d/b/a PCS One Request for Waiver of the E911 Phase II Location Technology Implementation Rules, filed June 20, 2001 (“PCS One Request”) at 3.

² See Comments of the Cellular Telecommunications and Internet Association (“CTIA”); Comments of AT&T Wireless Services, Inc.; Comments of Traxis, Inc.

³ Letter to Magalie Roman Salas, FCC, from Brian T. O’Connor, VoiceStream Wireless, CC Docket No. 94-102, dated July 6, 2001, at 1.

⁴ See Revision of the Commission’s Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems, CC Docket No. 94-102, *Fourth Memorandum Opinion and Order*, FCC 00-326, at ¶¶ 55-68 (rel. September 8, 2000).

⁵ Comments of CTIA at 4.

the VoiceStream networks that surround it.⁶ This is precisely the sort of situation that the Commission's waiver authority was designed to address. VoiceStream believes that such individualized approaches, rather than unbending adherence to rigid metrics, timetables and the preferred location technologies of third parties, will best serve the Commission's — as well as operators' and public safety's — goal of expediting E911 Phase II service to the public.

Respectfully submitted,

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⁶ PCS One Request at 2.